IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 18TH JUNE 2007 / 28TH JYAISHTA 1929

CRL.A.No. 781 of 1999()

AGAINST THE ORDER IN CC.244/1998 DT.11.8.99 of JUDL.MAGISTRATE OF FIRST CLASS COURT-V, TRIVANDRUM

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APPELLANT: COMPLAINANT

A.SAJEEV,
S/O.AROGHYAM,
M.C. COTTAGE, KARIAVATTOM,
KAZHAKKUTTOM P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.S.WILLIAMS

RESPONDENTS: ACCUSED/STATE

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1. **T.P. BRIJESH,**
   P.K.P. TRAVELS,
   PADMAVILASOM ROAD,
   EAST FORT, THIRUVANANTHAPURAM.

2. **STATE OF KERALA,**
   REP.BY PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.C.K.SURESH

THIS CRIMINAL APPEAL HAVING BEEN FINALLY HEARD ON 18/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.R. UDAYABHANU, J.

Crl.A.No.781 of 1999

Dated 18th June, 2007

ORDER

The revision petitioner is the complainant in C.C.No.244/98 who had initiated proceedings under section 138 N.I.Act. The accused stands acquitted as the complainant happened to be absent. The revision petitioner has sought for an opportunity to further proceed with the matter.

2. In the circumstances and considering the nature of the offence, the appeal is allowed. The order of the court below is set aside. The court below is directed to permit the petitioner to further pursue the matter.

The petitioner shall appear before the court below on 16-7-2007.

K.R.UDAYABHANU,
JUDGE.

Kvm/-

Kvm/-